

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ELMAGIN CAPITAL LLC,

Plaintiff,

v.

**CHAO CHEN;
KARL PETTY;
ENTERGRID LLC;
ENTERGRID FUND I LLC**

Defendants.

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**CIVIL ACTION NO.:
2:20-cv-02576-TJS**

**PLAINTIFF'S MOTION TO EXCLUDE DEFENDANTS' REBUTTAL EXPERT
DR. MARIA GARIBOTTI**

Plaintiff Elmagin Capital, LLC respectfully moves, as a sanction for the Defendants' violation of the parties' Stipulated Protective Order (Docket #15), for an order (a) excluding the rebuttal expert report of Dr. Maria Garibotti, served April 16, 2021 by Defendants' counsel and (b) requiring that Defendants reimburse Plaintiff for the reasonable fees and costs incurred in connection with the preparation and filing of this motion, in an amount to be shown within five (5) days of the date of such order. The grounds for this Motion are set forth in the accompanying Memorandum in Support of Plaintiff's Motion. A proposed order consistent with the preceding is submitted herewith.

<SIGNATURE PAGE FOLLOWS>

Respectfully Submitted,

Dated: April 19, 2020

/s/ Douglas Panzer

Douglas Panzer (PA Bar ID: 203354)

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